



## **Council Communication**

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS

**FROM:** CATHY TEMPLETON, TOWN CLERK 503-6861

**THROUGH:** PATRICK BANGER, TOWN MANAGER

**MEETING DATE:** OCTOBER 4, 2012

**SUBJECT:** GILBERT EDUCATIONAL CABLE ACCESS GOVERNING BOARD –  
BY-LAWS

<b>STRATEGIC INITIATIVE:</b>	N/A
<b>LEGAL REVIEW</b>	<b>FINANCIAL REVIEW</b>
<input checked="" type="checkbox"/> Complete	<input type="checkbox"/> Complete
<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> N/A

### **RECOMMENDED MOTION**

**A MOTION TO RATIFY CHANGES TO THE BY-LAWS OF THE GILBERT EDUCATIONAL CABLE ACCESS GOVERNING BOARD, SECTION 3.1 MEMBERS OF THE BOARD TO REMOVE THE HIGLEY UNIFIED SCHOOL DISTRICT AS A REPRESENTATIVE ON THE BOARD.**

### **BACKGROUND/DISCUSSION**

The Gilbert Educational Cable Access Governing Board is comprised of one person knowledgeable about cable television technical services, one educator (or designee) from the Gilbert Unified School District, one educator (or designee) from the Higley Unified School District, one educator (or designee) from the Chandler Unified School District, one representative of the Chandler-Gilbert Community College, one representative of Arizona State University, and one representative of the Town of Gilbert. All members serve three (3) year terms in accordance with the Code of Gilbert, Section 1-202(d); Membership; terms of office.

The Gilbert Educational Cable Access Governing Board met on March 1, 2012. On March 6, 2012, the Higley Unified School District officially notified the Board they no longer wished to participate as a

member of the Gilbert Educational Cable Access Governing Board. The Board considered the request of the Higley Unified School District at its next meeting which was held on September 13, 2012. At that meeting, the Board voted to remove the Higley Unified School District as a representative. Therefore, the amended by-laws are brought forth for ratification by the Council.

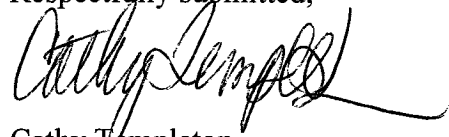
**FINANCIAL IMPACT**

None.

**STAFF RECOMMENDATION**

Staff recommends approval.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Cathy Templeton", with a long, sweeping horizontal line extending to the right.

Cathy Templeton  
Town Clerk

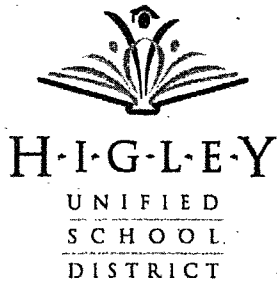
Attachments and Enclosures:

HUSD Letter

GECAGB By-Laws

March 6, 2012

Michael Holland, Chairman  
Gilbert Educational Cable Access Governing Board  
C/O Cathy Templeton  
Town of Gilbert  
50 E. Civic Center Dr.  
Gilbert, Arizona 85296



Mr. Holland:

The Higley Unified School District #60 will no longer be participating as a member of the Gilbert Educational Cable Access Governing Board or the Chandler Educational Television Network effective immediately.

The district is directing its resources in other areas and believes that our efforts for promotion of educational programs would be better served by other means. This departure by the school district is based on our educational priorities and programs.

Although Higley Unified will no longer be a member of the governing board, please feel free to utilize our district as a resource whenever you or the board believe necessary. Thank you for your time serving on the committee and we wish you and the governing board well in your endeavors to promote educational programming in the Chandler Educational Television Network.

Respectfully,

Denise Birdwell, Ed.D.  
Superintendent

cc: Mayor John Lewis  
Councilmember Ben Cooper  
Town Manager, Patrick Banger

District Offices

480.279.7000  
480.279.7500 Fax

2935 S. Recker Road  
Gilbert, AZ 85297

cc: Eddie Cook 3/8/12  
GECAGB Liaison

**GILBERT EDUCATIONAL CABLE  
ACCESS GOVERNING BOARD  
BY-LAWS**

Amended by Board 9-13-12 Ratified by Council \_\_\_\_\_

**1. NAME, PURPOSE, PRINCIPAL OFFICE**

1.1 Name: The name of the organization shall be the Gilbert Educational Cable Access Governing Board.

1.2 Purpose: The Gilbert Educational Cable Access Governing Board (GECAGB) hereafter called the "Board," will develop and recommend to the Town Council policies and rules for use of the Educational Access Channel(s), capacity provided by the cable television licensee(s) of licensed to the Town of Gilbert.

1.3 Location: The principal office of the Board shall be in the offices of the Town of Gilbert, 50 East Civic Center Drive.

1.4 Records: Official records of the Board shall be maintained in the office of the Town Clerk, Town of Gilbert, 50 East Civic Center Drive.

**2. POWERS**

2.1 Powers: The Board shall exercise all powers of the Board as set forth in Section 18-32 of the Gilbert Municipal Code.

2.2 Committees: The Board may appoint advisory committees to make recommendations to the Board. All such committees shall comply with Open Meeting Law requirements.

2.3 Educational Access Rules:

2.3.1 The operation of the Educational Access Channel(s) shall be the responsibility of the Board, unless otherwise required by the Town. The Board shall adopt rules and governing the use of the Educational Access Channels, as set forth in Section 18-32(d) of the Gilbert Municipal Code. Such rules shall also address management and operation responsibilities described in Section 18-32(c) of the Gilbert Municipal Code. Prior to adoption of such rules or any substantive amendment, the Board will present the proposed changes to the Town Council for comment.

2.3.3 The chairperson, consistent with the policies adopted by the Board and licenses issued by the Town, may arrange to utilize the facilities, equipment, and personnel of the Licensee and the Access Manager to produce and program the Educational Access Channel. These facilities, equipment, and personnel shall be provided, at cost, to users approved by the Board.

2.3.2 In the absence of programming or production by the Board, the Town may program the channel with educational material.

2.3.3 If a dispute shall arise between the Licensee and the Town in regard to scheduling or use of the access facilities, the Board will notify the Town Manager. The Town Manager may intervene and resolve the dispute.

### 3. MEMBERS

3.1 Members of the Board: The Board shall be appointed by the Council and will represent a broad spectrum of the community. The Board shall be comprised of one person knowledgeable about cable television technical services, one educator (or designee) from the Gilbert Unified School District, ~~one educator (or designee) from the Higley Unified School District~~, one educator (or designee) from the Chandler Unified School District, one representative of the Chandler-Gilbert Community College, one representative of Arizona State University, and one representative of the Town of Gilbert.

3.2 Chairperson and Vice Chairperson: The general membership shall elect a Chairperson and a Vice-Chairperson from the appointed members. The Chairperson shall be the executive head of the Board and shall have charge of the affairs of the Board, subject to the supervision of the Board. The Chairperson shall preside over all meetings of the members.

3.3 Resignation: A member may resign by furnishing her/his written resignation to the Board. Such resignation shall be effective upon the acceptance of the Board.

3.4 Vacancies: If for any reason, the office of a member becomes vacant, Board will ask the educational institution which member has vacated to recommend a replacement. The Council shall appoint a member to fill such vacancy.

### 4. MEETINGS

4.1 Regular Meetings: Regular meetings of the Board shall be no less than one time per year. The call for the meeting shall state the date, time and place of the meeting, and shall be posted with the agenda at the Town of Gilbert's three official posting places, 24 hours in advance of the meeting to comply with all Open Meeting Law requirements.

4.2 Special Meetings: Special meetings of the members may be called by the Chairperson. The call for the meeting shall state the date, time and place of the meeting, and shall be posted with the agenda at the Town of Gilbert's three official posting places, 24 hours in advance of the meeting to comply with all Open Meeting Law requirements.

4.3 Call and Notice: Notice of all meetings of the members, stating the date, time and place of the meeting shall be sent to members prior to any meeting. Notices will be transmitted to the Board as agreed upon by the Board membership.

4.4 Quorum: A quorum of all meetings of the membership shall be fifty percent (50%) of the membership. A majority of the members present in person shall decide any matter to be voted on by the members unless otherwise required by law or these by-laws.

4.5 Conflict of Interest: The members will comply with Arizona laws governing conflicts of interest, A.R.S. § 38-511, et seq.

## 5. **AMENDMENTS**

5.1 These by-laws may be amended by a two-thirds (2/3) vote at any meeting of the members provided that the substance of each amendment is stated in the notice of the meeting and provided to the membership in advance. There will be two (2) readings, one for discussion and one for a vote, which readings may take place at the same meeting.

## 6. **DISSOLUTION**

6.2 The Board serves at the pleasure of the Town Council and may be dissolved at the Town Council's discretion.

## 7. **COMMITTEE REPORTS, RESOLUTIONS, RECOMMENDATIONS**

7.1 Committee reports, resolutions and recommendations to the Town Council will be approved by a two-thirds (2/3) majority vote of the membership of the Board.

## 8. **RULES OF ORDER**

8.1 All meetings will be conducted in accordance with *Roberts Rules of Order*.